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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

Chapter 11

**NOTICE OF HEARING RE THIRD
AND FOURTH OMNIBUS
OBJECTIONS OF USACM TRUST
TO PROOFS OF CLAIM BASED
UPON INVESTMENT IN THE
BUNDY CANYON (\$5.725 MILLION)
LOAN**

Date of Hearing: August 30, 2011
Time of Hearing: 10:30 a.m.
Estimated Time For Hearing: 10 minutes

**THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM
THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW IN PART
AND ALLOW IN PART YOUR CLAIM TO THE EXTENT YOUR CLAIM IS
BASED UPON AN INVESTMENT IN THE BUNDY CANYON (\$5.725 MILLION)
LOAN. THE TRUST REQUESTS AN ORDER DISALLOWING 80% OF THE
CLAIM AND ALLOWING THE REMAINING 20% OF THE CLAIM.**

**THIS OBJECTION WILL NOT IMPACT YOUR CLAIM TO THE
EXTENT IT IS BASED UPON AN INVESTMENT IN A DIFFERENT LOAN.**

**PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS**

1 **REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM**
2 **SHOULD BE DIRECTED TO BRANT FYLLING AT SIERRA GROUP**
3 **CONSULTING, LLC (602-424-7009) OR TO UNDERSIGNED COUNSEL, JOHN**
4 **HINDERAKER (520-629-4430).**

5 **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and
6 through its counsel, has filed its Omnibus Objections to Proofs of Claim Based in Whole
7 or in Part Upon Investment in the Bundy Canyon (\$5.725 Million) Loan (with Certificate
8 of Service) (the “Objection”). Your Proof of Claim number and other information
9 regarding your claim is provided in **Exhibit A**, attached to the Objection. The USACM
10 Liquidating Trust has requested that this Court enter an order, pursuant to section 502 of
11 title 11 of the United States Code (the “Bankruptcy Code”) and Rule 3007 of the Federal
12 Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), disallowing 80% of the claim
13 and allowing the remaining 20% of the Proof of Claim to the extent it is based upon an
14 investment in the Bundy Canyon (\$5.725 Million) Loan. The Objection will not impact
15 your Claim to the extent it is based upon an investment in a different loan.

16 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
17 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
18 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
19 **August 30, 2011, at the hour of 10:30 a.m.**

20 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON AUGUST**
21 **30, 2011 WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**
22 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**
23 **HEARD ON THAT DATE.**

24 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any
25 response to the objection must be filed and service must be completed no later than
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fourteen (14) days preceding the hearing date. The opposition must set forth all relevant facts and any relevant legal authority.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: July 29, 2011.

LEWIS AND ROCA LLP

By s/ John Hinderaker (AZ 18024)
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Attorneys for the USACM Liquidating Trust

Copy of the foregoing mailed by first class postage prepaid U.S. Mail on July 29, 2011 to all parties listed on Exhibit A attached to the objection.

LEWIS AND ROCA LLP

s/ Matt Burns
Matt Burns, Paralegal